



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE
United States Patent and Trademark Office
Address: COMMISSIONER FOR PATENTS
P.O. Box 1450
Alexandria, Virginia 22313-1450
www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/918,681	07/27/2001	Jayne B. Roderick	IR-025-C1	3197

21912 7590 06/15/2005

VAN PELT, YI & JAMES LLP
10050 N. FOOTHILL BLVD #200
CUPERTINO, CA 95014

EXAMINER

ISMAIL, SHAWKI SAIF

ART UNIT	PAPER NUMBER
----------	--------------

2155

DATE MAILED: 06/15/2005

Please find below and/or attached an Office communication concerning this application or proceeding.

Office Action Summary

Application No.

09/918,681

Applicant(s)

RODERICK ET AL.

Examiner

Shawki S. Ismail

Art Unit

2155

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --

Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If the period for reply specified above is less than thirty (30) days, a reply within the statutory minimum of thirty (30) days will be considered timely.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☐ Responsive to communication(s) filed on 28 February 2005.
- 2a) ☒ This action is **FINAL**. 2b) ☐ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6-9 and 11-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6-9 and 11-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
- ☐ Certified copies of the priority documents have been received.
 - ☐ Certified copies of the priority documents have been received in Application No. _____.
 - ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO-1449 or PTO/SB/08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ Notice of Informal Patent Application (PTO-152)
- 6) ☐ Other: _____

RESPONSE TO AMENDMENT

1. This communication is responsive to the amendment filed on February 28, 2005. Claims 1, 6, 7, 11, 12, 19, and 20 have been amended. Claims 5 and 10 have been cancelled. Claims 1-4, 6-9, and 11-20 are presented for examination.

The New Grounds of Rejection

2. Applicants' amendments and arguments with respect to claims 1-4, 6-9, and 11-20 filed on February 28, 2005 have been fully considered but they are deemed to be moot in view of the new grounds of rejection.

Claim Rejections - 35 USC § 103

3. The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

4. Claim 1-2, 6-9, 11-15 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rhie et al.**, (Rhie) U.S. Patent No. **6,366,650** in view of **Weiser et al.**, (Weiser) U.S. Patent No. **5,786,819** and Further in view of **Wong et al.**, (Wong) U.S. Patent No. **6,489,951**.

5. As to claim 1, 6-9, 19 and 20, Rhie teaches an interface for facilitating browsing of an indexed collection of electronic content, comprising:

means for determining a current location within an indexed associated with the indexed collection of electronic content (col. 3, lines 12-18);

a non-visual display device for displaying information identifying the current location (col. 2, lines 32-38);

Rhie does not explicitly teach wherein the interface as in claim 1 further comprises a location display resolution-controlling device for controlling the resolution with which the information identifying the current location is displayed.

Weiser teaches a single button list scrolling for presenting data in display of limited size. The data is presented to the user in a manner equal to the length in time of the depression of the button (col. 4, lines 20-41).

It would have been obvious to one of ordinary skill in the art at the times of the applicant's invention to incorporate the teaching of Weiser into the invention if Rhie in order to make the system efficient and user friendly. The user can move through the indexed collection at a fast pace or at a slow pace accordingly. It gives the user ease of use in browsing a large number of records and saves them time in the process.

Weiser teaches a resolution feedback device for providing non-visual feedback representative of a current resolution with which the information identifying the current location currently is being displayed. Weiser does not explicitly indicate wherein the resolution feedback is a non-visual (col. 4, lines 20-41).

Wong teaches a method and system for enabling visually impaired users to use touch-sensitive screens to control various devices. Wong teaches a visually impaired system that allows a visually impaired user to scroll through a list using a scroll bar. A scroll bar contains a scroll thumb, and by sliding the scroll thumb along the scroll bar, a user may scroll through a list. When a user touches the scroll thumb the system announces that the use is touching the scroll thumb. The system provides audio feedback to the user while scrolling (col. 4, lines 40-62, and col. 5, lines 7-25).

It would have been obvious to one of ordinary skill in the art at the time of applicant's invention to incorporate the teaching of Wong into the invention of Weiser and Rhie in order to make the system user friendly and easy to use. By allowing a user to browse through an indexed collection and having audio feedback at the same time allows the user to quickly and easily navigate through the index with minimal visual attention.

6. As to claim 2, Rhie teaches an interface as in claim 1, wherein the non-visual display device further comprises an audio display device (col. 3, lines 12-18).

7. As to claim 11, Rhie teaches an interface as in claim 7, wherein the location display device and the browsing device are embodied in the same apparatus (col.2, lines 17-18).

8. As to claim 12, Rhie teaches an interface as in claim 1, further comprising a display device for displaying a selected record from the collection of electronic content (col. 4, lines 30-35).

Art Unit: 2155

9. As to claim 13, Rhie teaches an interface as in claim 1, wherein the electronic content comprises audio content (col. 2, lines 17-31).

10. As to claim 14, Rhie teaches an interface as in claim 1, wherein the electronic content comprises visual content (col. 2, lines 17-31).

11. As to claim 15, Rhie teaches an interface as in claim 1, wherein the electronic content comprises text content (col. 2, lines 17-31).

12. Claims 3 and 4 are rejected under 35 U.S.C. 103(a) as being unpatentable over **Rhie et al.**, (Rhie) U.S Patent No. **6,366,650** and in view of **Peurach et al.**, U.S. Patent No. **5,844,392**.

13. As to claims 3 and 4, Rhie teaches the claimed invention as described above. Rhie does not explicitly teach wherein the non-visual display device further comprises a haptic display device.

Peurach teaches a method for simultaneously browsing, or viewing, touching, attaching to, or manipulating, object descriptions contained within files both visually and haptically (col.4, lines 20-37).

It would have been obvious to one of ordinary skill in the art at the times of the applicant's invention to incorporate Peurach's haptic feedback device into the invention of Rhie in order to make the system more user friendly. By having a haptic output device, a user does not have to devote a large amount of time and attention at looking at a display thereby making it easier for the user to do other activities while browsing the indexed collection.

14. Claims 16-18 is rejected under 35 U.S.C. 103(a) as being unpatentable over **Rhie et al.**, (Rhie) U.S Patent No. **5,844,392** and in view of “**Official Notice.**”

15. As to claims 16-18, Rhie teaches the claimed invention as described above. Rhie does not explicitly teach wherein at least some of the electronic content is indexed alphabetically, numerically and by date.

Official Notice is taken that both the concept and advantages of indexing in alphabetically, numerically and by date are well known and expected in the art. It would have been obvious to one of ordinary skill in the art at the times of the applicant's invention to include alphabetically, numerically and by date indexing of electronic content because it gives the user ease of use and makes promotes efficiency. It allows a user to increase query response time by browse a collection for a certain record without having to go through every record.

16. Applicant's amendment necessitated the new ground(s) of rejection presented in this Office action. Accordingly, **THIS ACTION IS MADE FINAL**. See MPEP § 706.07(a). Applicant is reminded of the extension of time policy as set forth in 37 CFR 1.136(a).

A shortened statutory period for reply to this final action is set to expire **THREE MONTHS** from the mailing date of this action. In the event a first reply is filed within **TWO MONTHS** of the mailing date of this final action and the advisory action is not mailed until after the end of the **THREE-MONTH** shortened statutory period, then the shortened statutory period will expire on the date the advisory action is mailed, and any extension fee pursuant to 37 CFR 1.136(a) will be calculated from the mailing date of

the advisory action. In no event, however, will the statutory period for reply expire later than SIX MONTHS from the date of this final action.

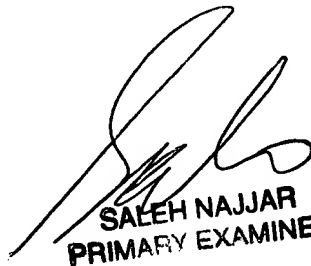
Contact Information

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Shawki S Ismail whose telephone number is 571-272-3985. The examiner can normally be reached on M-F 8:30 - 5:00.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Ario Etienne can be reached on 571-272-4001. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

Shawki Ismail
Patent Examiner
June 12, 2005



SALEH NAJJAR
PRIMARY EXAMINER